

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6828

BILL NUMBER: HB 1126

DATE PREPARED: Dec 28, 2001

BILL AMENDED:

SUBJECT: Town Marshal Overtime.

FISCAL ANALYST: Valerie Ruda

PHONE NUMBER: 232-9867

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: Local

Summary of Legislation: This bill provides that a town marshal or deputy marshal who is not covered by the federal Fair Labor Standards Act of 1938 must be paid time-and-a-half for more than 40 hours worked in a week.

Effective Date: January 1, 2001 (retroactive); January 1, 2002 (retroactive).

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Of the 318 marshal departments in the state, 258 employ four or fewer marshals and are currently exempt from the Fair Labor Standards Act. A total of 372 full-time town marshals and deputy town marshals are employed by these departments. The fiscal impact of this bill is dependent on the number of hours of overtime worked by marshals. Marshal offices currently may provide no pay, compensatory time, and over-time pay for work performed in excess of 40 hours. In 2000, annual salaries for full-time marshals in small departments ranged from about \$15,000 to \$32,000. Any additional overtime pay would also be applied to any locally established pension benefits that may exist (town marshals are not members of any state pension plan).

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Towns and cities that employ four or fewer marshals.

Information Sources: Scott Mellenger, Indiana Law Enforcement Training Board; Indiana Municipal

Salaries, Wages & Fringe Benefits 1998, Indiana Association of Cities & Towns; Doug Todd, McCready & Keene, Inc.